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Dated: January 17, 2006

Signature:

(Thomas J. Engellenner)

Docket No.: 104891-20

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Charles D. Lennox et al.

Application No.: 10/706,327

Confirmation No. 6437

Filed: November 12, 2003

Art Unit: 3739

For: METHOD AND DEVICE FOR RAPIDLY
INDUCING AND THAN MAINTAINING
HYPOTHERMIA

Examiner: Henry M. Johnson III

ASSERTION OF SMALL ENTITY STATUS

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Exclusive rights in the U.S. patent application, serial number 10/706,327 have been assigned to and remain with MedCool, Inc., a small business concern. Small entity status is therefore asserted for the patent application.

Dated: January 17, 2006

Respectfully submitted

By

Thomas J. Engellenner

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January 17, 2006

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RE: U.S. Patent Application Serial No. 10/706,327, Filed November 12, 2003
"Method and Device for Rapidly Inducing and Then Maintaining Hypothermia"
by Charles D. Lennox, et al.
Examiner: Henry M. Johnson III, Group Art Unit: 3739
Confirmation No. 6437
Attorney Docket No. 104891-20 (formerly MED03-11)

Dear Sir or Madam:

I enclose herewith for filing in the above-identified application the following:

1. Issue Fee Transmittal Form (PTOL-85) (with attached Certificate of Mailing);
2. Check in the amount of \$1,000.00 (small entity Issue Fee payment: \$700., together with Publication Fee: \$300.);
3. Assertion of Small Entity Status; and
4. Acknowledgment postcard.

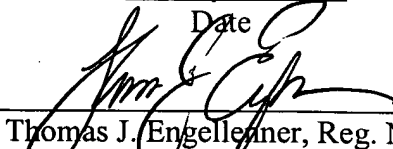
Please charge any additional fees or credit any overpayment to our Deposit Account No. 141449. The undersigned requests any extensions of time necessary to respond. A duplicate copy of this letter is enclosed.

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January 17, 2006

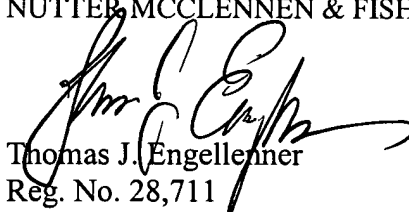
Date

By


Thomas J. Engellenner, Reg. No. 28,711

Respectfully submitted,

NUTTER, MCCLENNEN & FISH LLP


Thomas J. Engellenner
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TJE:mrn Enclosures